

# Trafficking in Women and Children: A Legal Perspective of Bangladesh

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**Abstract:** Bangladesh is known as a source and transit country for men, women, and children subjected to trafficking in persons, specifically forced labor and forced prostitution. A significant portion of Bangladesh's trafficking victims are men recruited for work overseas with fraudulent employment offers who are subsequently exploited under conditions of forced labor or debt bondage. A study was conducted to know the scenario of trafficking in women and children in Bangladesh, to know the extent of the trafficking in women and children problem in Bangladesh, to know the profile of the victims of trafficking and to know about the availability and effectiveness of existing legal instruments to combat this activity. The study was conducted in Godagari and Tanore Upazila of Rajshahi District, Nababgonj Sadar and Shibganj Upazila of Chapai- Nawabganj District as four trafficking prone Upazilas of the country. The study was of survey and case study type. In this study, quantitative data were collected using Questionnaire and respondents were victims of trafficking, Woman and Children at risk of trafficking, NGO personnel and local people. So, in this study for qualitative data, interview technique was used. UNO, OC, Local elite, UP Chairman from both areas were interviewed. A total number of 100(one hundred) people were taken as respondents. Among them, persons to be interviewed were Upazila Nirbahi Officer (UNO), Union Parishad Chairman, Officer in- charge of police station (OC), Executive director and program officer of ACD and local elites. Others were selected a bit purposively in each category and from ACD shelter home. In this category population at risk, victims of trafficking and local people were included. Data were collected from them using questionnaire. Some secondary data were also collected from the secondary sources. From the result it was found that more women are trafficked compared to children and more girls are trafficked compared to the boys. The victims have come from very poor families. Most of the parents are landless, wage labourers or self employed in petty business. Maximum (70%) of the children were trafficked from the age group of 13-16 years and maximum (50%) of women were trafficked belongs to age group of 23-28. Education is an important factor behind trafficking because about eighty two (81.67%) percent of women victims were illiterate. From the result it was also found that the majority of both male & female victims of trafficking are from the rural areas while the minimum numbers of the victims are from the urban areas. From the result it is found that, both children and women were tricked in the name of job and marriage. It is said that in most cases the agents are women and know to the victims and their families. Maximum numbers of women victims are trafficked to Dubai, India and Pakistan. From the result it was also found that maximum number of occurrence of trafficking causes due to the poor economic condition of the parents. The Child marriage and polygamy in the rural areas, lack of employment opportunity, unpaid child labor for domestic work, children and women of broken families and families with step mother/father are also the reasons for trafficking in person. Due to lack of education of parents, corruption among law enforcing member and lack of social security & safety followed by other causes are the causes of human trafficking.

To stop the trafficking a massive awareness program should be provided by print and electronic Medias. An appropriate arrangement should be adopted for the protection of victims of trafficking and witnesses. Education and job should be provided for all. Law enforcing agencies should be neutral and friendly for poor female and girls. Public Prosecutors should be efficient and neutral. Security of judges, witnesses and victims should be ensured. Since judges are the main and only one legally supported media to combat hand down judgment through their wise decision based on evidence, so keeping them free from fear on their is a crucial precondition for the purpose. Criminal Procedures Code should be amended to ensure that names of trafficked women and children are not published in the media. The laws related to trafficking should be enforced and implemented without any mercy and discrimination. A national migration policy should be adopted. More NGO can be worked against trafficking. Sharing of data among the NGOs and Government agencies through establishing network and concerted programs against trafficking and sexual exploitation of women and children should be undertaken. The Government in repatriating trafficked victims from others countries should be assisted. Rehabilitation program for rescued and repatriated trafficked victims should be initiated. Safe shelter homes ensuring homely and friendly environment and minimum standard of care should be established.

**Key words:** Trafficking, Children, Women, poverty, education, rural, economy, route, Law enforcing agencies, awareness, media, agent.

## INTRODUCTION

Bangladesh is known as a source and transit country for men, women, and children subjected to trafficking in persons, specifically forced labor and forced prostitution. A significant portion of Bangladesh's trafficking victims are men recruited for work overseas with fraudulent employment offers who are subsequently exploited under conditions of forced labor or debt bondage. Children – both boys and girls – are trafficked within Bangladesh for commercial sexual exploitation, bonded labor, and forced labor. Some children are sold into bondage by their parents, while others are induced into labor or commercial sexual exploitation through fraud and physical coercion. Women and children from Bangladesh are also trafficked to India for commercial sexual exploitation. Bangladeshi men and women migrate willingly to some Arabian and other countries namely Saudi Arabia, Bahrain, Kuwait, the United Arab Emirates (UAE), Qatar, Iraq, Lebanon, Malaysia, Liberia, and other countries for work, often under legal and contractual terms. Most Bangladeshis who seek overseas employment through legal channels rely on 1000 recruiting agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA). These agencies are legally permitted to

charge workers up to \$1,235 and place workers in low-skilled jobs typically paying between \$100 and \$150 per month. According to NGOs, however, many workers are charged upwards of \$6,000 for these services. A report recently published by Amnesty International on Malaysia indicated that Bangladeshis spend more than three times the amount of recruitment fees paid by other migrant workers recruited for working in Malaysia. According to some NGOs report, many Bangladeshi migrant laborers are victims of recruitment fraud, including excessive recruitment fees often accompanied by fraudulent representation of terms of employment. The ILO has concluded high recruitment fees increase vulnerability to forced labor among transnational migrant workers. Women typically work as domestic servants; some find themselves in conditions of forced labor or debt bondage where they face constraints on their movements, non-payment of wages, threats, and physical or sexual abuse. Some Bangladeshi women working abroad are subsequently trafficked into commercial sexual exploitation. Bangladeshi children and adults are also trafficked internally for commercial sexual exploitation, domestic servitude, and bonded labor. Recent reports indicate many brothel owners and pimps addict Bangladeshi girls to steroids, with devastating side effects, to make them more attractive to clients; the drug is reported to be used by 90 percent of females between 15 and 35 in Bangladeshi brothels. In 2012, nine South African labor trafficking victims were found in Bangladesh.

Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has continued to address the sex trafficking of women and children. In December 2011, the president put the law into effect as an ordinance, and in February 2012 the parliament passed the ordinance as law: the Human Trafficking Deterrence and Suppression Act. This Act generally prohibits and punishes all forms of human trafficking, though it does not flatly prohibit the fraudulent recruitment of labor migrants; rather, the Act requires the recruiter to have known that the recruited workers would be subject to forced labor. Prescribed penalties for labor trafficking offenses are five to 12 years' imprisonment and a fine of not less than approximately the equivalent of \$600, and prescribed penalties for sex trafficking offenses range from five years' imprisonment to the death sentence. These penalties are sufficiently stringent, and commensurate with those prescribed for other serious crimes, such as rape. Despite these significant efforts, the government did not demonstrate evidence of increased efforts to prosecute and convict labor trafficking offenders, particularly those responsible for the fraudulent recruitment of Bangladeshi workers for the purpose of forced labor overseas. Similarly it did not demonstrate increased efforts to prevent the forced labor of Bangladeshi workers overseas through effective controls on high recruitment fees and other forms of fraudulent recruitment; therefore, Bangladesh is placed on Tier 2 Watch List for the 4th consecutive year. Some government officials and members of civil society continue to believe the forced labor and debt bondage of Bangladeshi workers abroad was not considered labor trafficking, but rather employment fraud perpetrated on irregular migrants.

At present the trafficking in person has increased in Bangladesh and in other Asian countries. But little efforts have so far been made to gain a significant understanding of the local dynamics of the problem. The task is difficult and involves delving into a complex area of legal issues, social attitudes, economic interests, and illicit activities. Nonetheless, a better understanding of the causes and consequences of trafficking is essential for any future interventions to combat this human problem, both nationally and globally. Despite a large number of reports and considerable media coverage on trafficking, very few methodical research studies were conducted on trafficking. The available information on community members' perception of trafficking and on the underlying determinants of trafficking, for example, is limited. Similarly, the experiences of organizations working to prevent trafficking and to assist trafficked people have not been adequately documented to identify appropriate interventions for improving the effectiveness of current efforts. This review was undertaken to produce a comprehensive summary of available information concerning trafficking of women and children in Bangladesh. Information on the magnitude of the problem, the underlying factors that foster trafficking, modes of trafficking, major trafficking routes, and consequences of trafficking has been compiled. The review also highlights the current activities of different non-government organizations (NGOs) to address the trafficking problem. This document is expected to contribute to the greater understanding of the trafficking issues, and provide a framework for future studies on programme needs and research gaps on this issue.

In our globalizing world, trafficking in human beings, especially women and children, has increased in both magnitude and in reach, becoming a major human rights concern. Human trafficking affects vulnerable individuals, particularly women and children, in every region of the world. While the criminal nature of human trafficking makes it difficult to know the real extent of the phenomenon, It is estimated that as many as 27 million men, women, and children around the world are victims of what is now often described with the umbrella term "human trafficking."

Fifty thousand of these are trafficked into the United States alone. The purposes of trafficking include not only prostitution, debt bondage, and domestic labor, but also the "trafficking of children as slave labourers, child soldiers, camel jockeys and sex slaves." The United Nations Protocol on Trafficking in Persons, adopted in November 2000, defines trafficking as: "the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, or deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs." This protocol has 105 signatories including the United States. The trafficking of women and children must be seen in a broader context of labour migration and the movement of people from conflict zones and crisis situations as refugees and internally displaced persons. These movements in turn interact with structures of gender equality at every level - national and global, in families and communities. An effective analytical and action framework must address these interlink ages in a serious and coordinated manner.

## OBJECTIVES OF THE STUDY

The objectives of this research were:

1. To know the scenario of trafficking in women and children in Bangladesh.

2. To know the extent of the trafficking in women and children problem in Bangladesh
3. To know the profile of the victims of trafficking
4. To know about the availability and effectiveness of existing legal instruments to combat this activity.

## METHODOLOGY OF THE STUDY

### Methods used

In this research, Qualitative, Quantitative and content analysis method seemed necessary. So, all of these three methods- Quantitative, Qualitative and Content analysis- have been used to carry out the research where total respondents were one hundred in number.

**Study area:** The study has been conducted in Godagari and Tanore Upazila of Rajshahi District, Nababgonj Sadar and Shibganj Upazila of Chapai- Nawabganj District as four trafficking prone Upazilas of the country. Particularly, study was conducted in Char Ashariadaha and Matikata Union from Godagari Upazila, Kalma and Kamargaon Union from Tanore Upazila of Rajshahi district, Binodpur and Shahbajpur Union of Shibgonj Upazila, Charbagdanga and Debinagar Union of Nababgonj Sadar Upazila of Chapai Nababgonj District.

**Study design:** The study was of survey and case study type.

### Content Analysis:

Similarly, "Content analysis method critically and objectively reviews the published or printed facts, figures, opinions, observations, generalizations in the light of its content value"(Aminuzzaman,1991). Therefore, it is helpful to give good insight about the research topic. In this study, to verify NGO activities, their work plan, budget, project planning and other things, their published books, printed documents, handouts are taken into consideration. Moreover, relevant government policies, agreements, action plans, documents published, meeting minutes and many others are studied. Content analysis has been used to gather secondary data.

### Source of Data

For this research both primary and secondary data have been used.

### Sources of Primary Data:

As said earlier, Questionnaire and Interview have been used to get primary data and Content analysis for secondary data. Questionnaire covered both open and close ended questions. Close ended question was used to get much specified answers and to save time. On the other hand, open ended questions helped to get insight view of some issues necessary. Questions were pre-tested before using with sample population. Further during data collection it was made clear if required. Moreover, guided interview helped to get in depth understanding of the phenomenon and its relevance with other issues. Professional and knowledgeable persons' thoughtful opinion helped to see the problem in a broader canvass.

### Sources of Secondary Data:

Secondary data were collected from organizations like Ain O Salish Kendra, ACD, BNWLA, Nari Grantha Probartana, UBINIG, Manobadhikar Bastobayon Sangstha and Local Government Bodies, Upazila administration, Police station, Union Parishad, District administration, Ministry of home, Ministry of Women and Children Affairs, Ministry of Law, Justice and Parliamentary Affairs and many others.

### Sample size

A total number of 100(one hundred) people were taken as respondents. Among them, persons to be interviewed were Upazila Nirbahi Officer (UNO), Union Parishad Chairman, Officer in- charge of police station (OC), Executive director and program officer of ACD and local elites. Others were selected a bit purposively in each category and from ACD shelter home. In this category population at risk, victims of trafficking and local people were included. Data were collected from them using questionnaire. Equal number of respondents was taken from selected areas. Sample population at a glance is given below:

## Sample population

Category	Respondents	Total	Technique used
1	UNO	4	Questionnaire and Interview
	UP Chairman	8	
	OC, Police Station	4	
2	Population at risk	20	Questionnaire, Interview and case study
	Victims (Shelter home)	16	
	Local people	20	
3	Journalist	8	Questionnaire and Interview
	Lawyer	12	
	NGO Personnel at study area	8	
Total		100	

**Tools for Data Collection**

Questionnaire was used for data collection

**Method of Data Collection**

Data were collected by face to face interview with the respondents

**Data Analysis Plan**

For processing and analyzing the collected quantitative data statistical techniques and Microsoft excel application have been used. Simple mathematical tools like tabulation, percentage, frequency have been used. This study also used some charts, graphs to present data in a graphic manner. A mixed approach of qualitative and quantitative analysis has been used to interpret the data. Qualitative findings have been narrated and used to explain the significance of general findings got through quantitative method. As regards to content analysis principle of authenticity and objectivity is maintained.

**Data Validation**

The collected data have been validated through cross checking with each other and with the secondary sources. However, to enhance the trustworthiness of data, secondary documents such as related research papers, reference books, Journals, periodicals, newspapers, internet, etc. have been used as a source of evidence to cross check data collected from interview.

**RESULTS AND DISCUSSION****Children and Women Ratio of Trafficked Victims**

The percentage of trafficked children by age and sex are presented in the table 1.

**Table 1 Ratio of Children and Women Victims**

Type of victims	Number of victims		Total (Percentage)
	Male	Female	
Children	10	30	40 (40%)
Women	-	60	60 (60%)
<b>Total</b>	<b>10 (10%)</b>	<b>90 (90%)</b>	<b>100 (100%)</b>

Source: Field Survey

The percentage of children and Women victims of trafficking has been summarized in table 8.1. The number of children victims is 40 of whom the number of boy is 10 and the number of girl is 30 and the number of Women victims is 60. The findings indicate that more women are trafficked compared to children. The findings also indicate that more girls are trafficked compared to the boys. This support the long held belief that women are trafficked more frequently and in greater numbers than children and male in Bangladesh.

**Occupational Status of the Head of the households of Trafficked Children and Women**

The percentage of trafficked children by age and sex are presented in the table 2.

**Table 2: Distribution of Trafficked Children and Women by Occupational of Head of the Household**

Occupation	Number of Household (percentage)
Agriculture	15 (15%)
Service	2 (2%)
Petty Business	23 (23%)
Agriculture Labor	30(30%)
Non-agriculture labor	18 (18%)
Other	12 (12%)
<b>Total</b>	<b>100 (100%)</b>

Source: Field Survey

Data on the occupation of head of the households of trafficked children and women confirm that these victims have come from very poor families. Most of the parents are landless, wage labourers or self employed in petty business. Table 8.3 shows that about 48 percent of the trafficked children and women belong to labor group households which are followed by petty business (23%) and agriculture households 15%.



### Age Structure and Sex of Trafficked Children

The percentage of trafficked children by age and sex are presented in the table 3.

**Table 3: Distribution of Trafficked Children by Age and Sex**

Age group	Number of trafficked children		Total	Percentage
	Male	Female		
1-4	-	-	0 %	0%
5-8	0	5	5	12.50%
9-12	3	4	7	17.50%
13-16	7	21	28	70.00%
<b>Total</b>	<b>10</b>	<b>30</b>	<b>40</b>	<b>100%</b>

Source: Field Survey

The table shows that there is no occurrence of trafficking in respect of the children of age group from 1-4 years. The 70% of the children, which are maximum were trafficked from the age group of 13-16 years. It also depicts that 21 girls out of 28 children were trafficked from that age group which is 75% of the total trafficked children. The highest number of victims belong to age group of 13-16. The table and graph show that 70.00% of victims belong to that age group. On the other hand, above (22%) percent victims belong to the age group of between 9 -12 followed by age group 5-8.

### Age Structure of Trafficked Women

The percentage of trafficked women by age is presented in the table 4.

**Table 4: Distribution of Trafficked Women by Age Group**

Age group	Number of trafficked women	(Percentage)
17-22	17	28.33%
23-28	30	50.00%
29-34	8	13.33%
35-40	3	5.00%
40+	2	3.34%
<b>Total</b>	<b>60</b>	<b>100.00%</b>

Source: Field Survey

The highest number of victims belongs to age group of 23-28. Almost 50% of victims belong to that age group. The second highest number of victims belongs to the age group of 29-34. So, the table and figure show that the traffickers choose most of woman as their victims who belong to the age group of 23-28 years while the female above the said age group are less chosen by the traffickers.

### Educational Status of Trafficked Children:

The educational status of trafficked children is presented in the table 5.

**Table 5: Distribution of Trafficking Children by Educational Status**

Education	Male	Female	(Percentage)
Illiterate	7	20	67.50%
Primary	3	9	30.00%
Secondary	0	1	2.50%
<b>Total</b>	<b>10 (25%)</b>	<b>30 (75.00%)</b>	<b>100.00%</b>

Source: Field Survey

Out of 40 victims 32 (67.50%) were illiterate and other 30 percent of children victims had received primary education. These findings indicate that illiterate woman are the easy victims of trafficking and lack of education is an important factor behind trafficking.

**Educational status of women victims:**

The educational status of women victims of trafficking is presented in the table 6.

**Table 6: Distribution of Trafficked Women by Education Status**

Level of Education	Female victims	Percentage
Illiterate	49	81.66%
Primary	10	16.67%
Secondary	1	1.67%
<b>Total</b>	<b>60</b>	<b>100.00%</b>

Source: Field Survey

About eighty two (81.67%) percent of women victims were illiterate and 16.67% women victims have primary education. Only 1.67% percent of women victims have received secondary education. These findings show that lack of education is the highest factor behind trafficking.

**Urban/Rural victims:**

The origin of the victims' of trafficking is presented in the table 7.

**Table 7: Urban/Rural origin of the victims**

	Children						Women	
	Male		Female		Total	%	Number	%
	Number	%	Number	%				
Rural	8	80%	20	66.67	28	70%	48	80%
Urban	2	20%	10	33.33	12	30%	12	20%
Total	10	100	30	100	40	100%	60	100%

Source: Field Survey

The table and figures show that 83% of the victims are from rural areas. Here it should be stated that, the victims who are trafficked from urban area are mostly migrants from rural areas. The majority of both male & female victims of trafficking are from the rural areas while the minimum numbers of the victims are from the urban areas. So, the statistics indicated that the traffickers choose the rural areas as their target to collect the victims.

**Procurement Process**

The procurement processes used for the women & children victims' of trafficking are presented in the table 88.

**Table-8: Procurement process used for women.**

Types	No	Percentage (%)
By force	6	10%
Without knowing	10	16.67%
Sold by family	5	8.33%
Sold by husband	6	10%
Kidnapped	7	11.67%
Persuaded	12	20%
Tricked	14	23.33%
<b>Total</b>	<b>60</b>	<b>100%</b>

Source: Field Survey.

**Procurement process used for children****Table 9: Procurement process used for children**

Types	Male		Female		Total	Percentage (%)
	No.	Percentage	No.	Percentage		
By force	5	50%	8	26.67%	13	32.50%
Without knowing	2	20%	6	20.00%	8	20.00%
Sold by family	-	-	-	-	-	-
Kidnapped	2	20%	5	16.67%	7	17.50%
Persuaded	-	-	6	20.00%	6	15.00%
Tricked	1	10%	5	16.66%	6	15.00%
<b>Total</b>	<b>10</b>	<b>100%</b>	<b>30</b>	<b>100.00%</b>	<b>40</b>	<b>100.00%</b>

Source: Field Survey

From the above mentioned tables, it is found that there are various procurement processes used by the agents of traffickers. It is said that in most cases the agents are women and know to the victims and their families. From the table it is found that, both children and women were tricked in the name of job and marriage. The percentage of this in case of women and children are respective 23.61 and 13.89 the other process which are found are by force, sold by family, kidnapped, sold by husband etc.

**Destination of victims of trafficking:**

The destination of the victims' of trafficking is presented in the table 10.

**Table 10: Destination of Women victims**

Place	Percentage (%)
Calcutta (India)	08.33%
Karachi (Pakistan)	26.67%
Mumbai (India)	00.00%
Patna (India)	00.00%
Firozabad (India)	31.67%
Dubai (UAE)	33.33%
Delhi (India)	00.00%
<b>Total</b>	<b>100%</b>

Source: Field Survey

**Destination of Children victims****Table 11: Destination of Children.**

Place	Male	Percentage	Female	Percentage
Middle cistern countries	10	100%	0	0.00%
Calcutta (India)	0	0.00%	9	30.00%
Karachi (Pakistan)	0	0.00%	10	33.34%
Lahore (Pakistan)	0	0.00%	11	36.66%
<b>Total</b>	<b>10</b>	<b>100%</b>	<b>30</b>	<b>100%</b>

Source: Field Survey.

From the above table and figure it appear that maximum number of women victims are trafficked to Dubai, India and Pakistan. Almost all the male child victims are destined for Middle Eastern countries while the female children are destined for Pakistan and India.

**Year of Trafficking**

The incident of year wise trafficking is presented in the table 12.

**Table 12: Year of Trafficking**

Year	Children		Women	Total	%
	Male	Female			
2006	2	5	8	15	15%
2007	2	6	11	19	19%
2008	3	7	10	20	20%
2009	3	6	12	21	21%
2010	4	7	14	25	25%
<b>Total</b>	<b>14</b>	<b>31</b>	<b>55</b>	<b>100</b>	<b>100%</b>

Source: Field Survey.

The table shows that the magnitude of this act is increasing. The largest number of trafficking is found in the year 2010. It also reveals that rate of trafficking in case of children and women are increasing dangerously. However the limitation of data is to be reminded again.

### The places of origin

The places of origin of trafficking are presented in the table 13.

**Table 13: Area wise origin of the victims**

Name of the area	No. of Victims	%
Char Ashariadaha	15	15%
Matikata	10	10%
Kalma	11	11%
Kamargaon	14	14%
Charbagdanga	9	9%
Debinagar	16	16%
Binodpur	12	12%
Shahbajpur	13	13%
<b>Total</b>	<b>100</b>	<b>100%</b>

Source: Field Survey.

Place of origin of the victims is very important in the sense of spatial pattern. The given tables will give a pictured district wise distribution and rural urban distribution. The victims under study, both children and women are form 8 unions of 2 districts of Bangladesh namely, Rajshahi and Chapai Nababgonj. The largest number is 16 from Debinagar Union which is 16% of the total. The place second in position is Char Ashariadaha with 15 victims followed by Kamargaon14, Shahbajpur 13, Binodpur 12, Kalma 11, Matikata 10 and Charbagdanga 9.

### Distribution of head of households according to their opinion regarding causes of trafficking.

The Distribution of head of households according to their opinion regarding causes of trafficking is presented in the table 14.

**Table 14: Distribution of head of households according to their opinion regarding causes of trafficking**

Causes of Trafficking	No. of Head of Household	Percentage (%of Total No. of Guardian)
a) Poor economic condition of parents.	91	91%
b) Child marriage and polygamy in the rural area.	87	87%
c) Lack of employment opportunity.	85	85%
d) Children and women of broken families and families with step mother/father.	56	56%
e) Unpaid child labor for domestic work.	67	67%
f) Lack of awareness of trafficking.	45	45%
g) Lack of education of parents.	46	46%
h) Corruption among law enforcing member.	40	40%
i) Lack of social security and safety.	18	18%
j) Other causes.	21	21%

Source: Field Survey

The table shows that maximum number of occurrence of trafficking causes due to the poor economic condition of the parents. The Child marriage and polygamy in the rural areas, lack of employment opportunity, unpaid child labor for domestic work, children and women of broken families and families with step mother/father are also the reasons for trafficking in person. The table also reveals that lack of awareness about trafficking, lack of education of parents, corruption among law enforcing member and lack of social security & safety followed by other causes are the causes of human trafficking.

### CONCLUSION

In recent years, the trafficking of women and children has already acquired a global dimension. For South Asian countries, the issue is already considered a serious regional problem, which stress on a concerted response. Accordingly, trafficking was high on the agenda of the Ninth Summit of heads of governments of the SARRC countries held in the Maldives in 1997. Trafficking is a human rights issue with important ramifications in the area of health, law enforcing, and socioeconomic development in general. Poverty, attitude toward women and deeply-entrenched gender discrimination, unemployment, cultural norms about marriage, well-organized national and international networks of traffickers and weak law enforcement are the critical factors relating to trafficking of women and children in Bangladesh.

Tougher laws alone cannot address this criminal activity. Several acts, including the Women and Children Repression Prevention Act, 2000, have provisions for penalties for violence against women and children, including trafficking and kidnapping. Yet, their proper implementation remains a formidable challenge. We observed that many research reports are based on information gathered through anecdotes, and from secondary analysis and unreliable data. But we relied on a few good reports that collected field information describing the trafficking practices and that mapped out the trafficking routes. Although more studies need to be conducted to shed light on trafficking antecedents, there are already several reports documenting the trafficking issues in Bangladesh. There is, however, a need for studies which can generate first-hand information on social, economic, political and



health implications of the problem. It is critical also to identify the current and potential roles of the government and NGOs in eliminating this immoral practice. The necessity of the regional nature of trafficking and the international implications of this problem, reports on the nature, magnitude, trends, and forms of trafficking in the SAARC countries are felt. The advantage of establishing cross-regional teams and resource centres to help identify the dynamics of trafficking, both from local and regional perspectives, has also been highlighted in reports. A uniform plan of action on the issue of trafficking of women and children involving the governments and NGOs of the region needs to be developed, so that a coordinated approach toward the conviction of traffickers is possible. This regional approach implies the development of a legal framework that ensures arrest, conviction, and extradition of traffickers and that also enables prosecution of traffickers and abusers even when crimes are committed in foreign soil. It is a matter of satisfaction that the Government has enacted Human trafficking Deterrence and Suppression Act, 2012.

This Anti-trafficking law has initiated a new dawn in the existing legal framework against human-trafficking. This Act has criminalized all forms of human trafficking both internal and transnational. But the enactment of the said Act, Suppression of Immoral Traffic Act, 1933 and section 5 and 6 of Nari O Shishu Nirjatan Daman Ain, 2000 are repealed. This Act provides punishment for the offenders of trafficking when the offence is committed individually, is imprisonment for life (section.6). When the offence is committed as an organized crime then the maximum punishment is death sentence (section.7). This Act has made the trafficking offences extraditable. It has provided provision for establishment of Anti-Human Trafficking Offence Tribunal for the speedy trial of the trafficking offences. It has provided an integrated pack of protective measures for the victims of trafficking, providing provisions for identification and rescue of the victims and for their repatriation, return, rehabilitation and social integration including medical treatment, legal-psychological counseling and so on. It has also made provisions for state to state mutual legal assistance.

The trafficking issue is closely linked with the human rights issue with important ramifications in the area of health, law-enforcing, and socioeconomic development in general. Poverty, attitudes toward women and deeply-entrenched gender discrimination, unemployment, cultural norms about marriage, well-organized national and international networks of traffickers, and weak law-enforcing agencies are few critical factors relating to trafficking of women and children in Bangladesh. This criminal activity cannot be addressed through tougher laws alone. Several legislations, including the Women and Children Repression Prevention Act, 2000, already provide penalties for violence against women and children, including trafficking and kidnapping. Yet, implementation of these legislations remains a formidable challenge.

This review found that many research reports are based on information gathered through anecdotes from secondary analysis and unreliable data. The review also quoted extensively from a few good reports that collected field information and described the trafficking practices and mapped out the trafficking routes. Although more studies need to be conducted to shed light on trafficking antecedents, there are already several reports documenting the trafficking issues in Bangladesh. There is a need for studies that can generate first-hand information on social, economic, political and health implications of the problem. It is critical also to identify the current and potential roles of the government and NGOs and also in what ways civil society contributes to this immoral practice. Recommendations from these reports often fall within the categories listed below. Recent studies indicate that advocacy efforts are needed to make people aware of trafficking and its consequences.<sup>1</sup>

Some reports suggest that appropriate messages linking the issue of trafficking and HIV/AIDS, for example, should be developed and popularized through song, drama, or any other simple media. It has also been suggested that publicity is made in public places, such as bus terminals, train stations, and ferry ghats. Another suggestion is for grassroots-level community mobilization to combat trafficking by, for example, involving law students in high-risk trafficking areas where they could conduct paralegal training for the community people or organize free mobile legal clinics.<sup>2</sup>

All reports on trafficking indicate the need to set up a strong system of legal response to this criminal activity. A special police unit or a commission has been suggested to monitor and provide prompt police action and legal aid, as well as ensuring safe protection to victims.<sup>3</sup> The large networks of NGOs in Bangladesh and in the region that are active and have gained experience on the trafficking issue cannot be ignored. These NGOs and their established networks can contribute significantly to the initiative for conducting research and in the design of new activities to combat trafficking, rehabilitate victims, and provide appropriate shelter to people fleeing from traffickers. In addition to this, the NGOs may create a databank on the trafficking routes, transit points, modes of trafficking, methods of recruitment, and other relevant issues, and may encourage and facilitate the sharing of data among the government, police, and media. The implementation of the government-coordinated programme to combat child trafficking represents a good opportunity to learn how to monitor the problem through a multisector mechanism at various levels and how to address relevant issues in high-risk localities. The review of the literature has also led to some suggestions for greater involvement of trafficked victims themselves, so that their opinions, needs, and knowledge are incorporated on efforts aimed at suppressing of trafficking. Reports also argue for a greater emphasis on rehabilitation of trafficked victims, including counseling services, to help them overcome psychological trauma and skill training to enable them to adopt different roles in society.<sup>4</sup>

Given the regional nature of trafficking and the international implications of this problem, country reports on the nature, magnitude, trends, and forms of trafficking are needed from the SAARC countries. The advantage of establishing cross-regional teams and resource centres to help identify the dynamics of trafficking, both from local and regional perspectives, has also been

<sup>1</sup>. Ali S. Trafficking in children and their commercial sexual exploitation in prostitution and other intolerable forms of child labour in Bangladesh: country report. Dhaka: Bangladesh National Women Lawyers' Association, 1998. 63 p.

<sup>2</sup>. Shamim I, Kabir F. Child trafficking: the underlying dynamics. Dhaka: Center for Women and Children Studies, 1998. 88 p.

<sup>3</sup>. Ali S. Survey in the area of child and women trafficking. Dhaka: Bangladesh National Women Lawyers' Association, 1997. 100 p.

<sup>4</sup>. Shamim I, Kabir F. Child trafficking: the underlying dynamics. Dhaka: Center for Women and Children Studies, 1998. 88 p.

highlighted in reports included in this review.<sup>5</sup> A uniform plan of action on the issue of trafficking of women and children involving the governments and NGOs of the region needs to be developed, so that a coordinated approach toward the conviction of traffickers is possible (Interview with Ishrat Shamim). This regional approach implies that there is a need to develop a legal framework to ensure arrest, conviction, and extradition of traffickers and to enable prosecution of traffickers and abusers even when crimes are committed in foreign soil.<sup>6</sup>

It is revealed from the research that most of people of the study area are poor, and the literacy rate of the parents of the victims is very negligible. It is found that the 60% of victims of trafficking are from landless and 82.00% people are functionally landless families. The 67.50% of the trafficked victims are from illiterate families and 30% of the victims are from those families who could not cross the threshold of the Primary School. The ignorance and lack of awareness of the family members of the victims of trafficking are some of the important reasons for trafficking. Most of the victims woman and girl child of the trafficking are subjected to commercial sex trade domestic servitude and they are destined for India, Pakistan and some other countries. The victim boys of the trafficking are used as camel jokies and they are taken to Dubai and some other Middle Eastern countries. The various reasons are responsible for making the woman and children vulnerable to trafficking. So, without any effective initiative at national and regional level involving the Governments, NGOs and other activists group, it is very difficult to address the problem of trafficking in Women and Children. But this problem having been a global problem, no single moment should be wasted to take proper and time befitting step by each and every nation of the globe to root out this problem in no delay.

## RECOMMENDATIONS

Based on the research, the following recommendations are made to effectively curb and prevent trafficking in person.

- The socio-economic factors which are driving trafficking in person are lack of access to services, uniform mobility, poverty and inequality, power asymmetries and various form of violence against women. Lack of awareness is a big concern in this regard, which demands a greater campaign. Police involvement and bribery are often cited by anti-trafficking activities as a major part of the problem. The other reason that trafficking in women and children persists is that judicial and law enforcement institutions have failed to implement and enforce of anti-trafficking laws effectively. Despite the existence of a legal support for combating trafficking and sexual exploitation against women and children, the authorities in the countries of origin as well as destination countries lack both the will and the capacity to undertake the concentrated investigatory and prosecutorial work necessary to have significant impact on trafficking rings, which demands adequate cross-border cooperation.
- Strong national and cross- border campaign along with an effective advocacy partnership with the countries in the region may lessen the intensity of the vulnerability of women and children from being victims of trafficking and sexual exploitation. The societies require having specific frame of mind to accept the responsibilities of the survivor women and children, which demand for an integrated and coordinated rehabilitation system among the society which is diversified in nature between the South Asian countries.
- The intricate and different socio-cultural factors driven by the growing development challenges influence women and children's susceptibility to trafficking and commercial sexual exploitation which mostly caused by poverty, unsafe migration, urbanization, violence within and outside families, inadequate access to health care services and civilization. Often they are induced with a promise for secure employment, but owing to lack of available information, coupled with the socio-cultural conditions that discourage women and children from actively seeking such information, they get hoodwinked into accepting situations that are coercive.
- The approaches already attempted to redress the problem have been insufficient and drawn from wrong perspective. To date, and as outlined in *Chapter-Four* (Nature and Extent of the problem) "Trafficking in women and Children" "Minor/Child" "Sexual Abuse" "Sexual Exploitation" have been defined and constructed to meet the needs of the State Authorities, Government Institutions/Departments and Law Enforcement Agencies. "Trafficking" has been defined from the perspectives from which women and children are mostly affected by the issue. This is very much logical, in spite of all the previous attempts taken, to include at this point of time- the opinions, voices, knowledge and stated needs of the victim of trafficking and sexual exploitation when formulating solutions and designing programs to minimize or abolish trafficking and sexual exploitation.
- There is no scope to exclude supreme role of law and the law enforcement agencies in combating trafficking and sexual exploitation, rather that the standpoint from which laws were written or amended and brought into line with the needs of women and children, which should be at top of the agenda.
- The oppressive target of arresting women who illegally cross the border or who engage the services of brokers to assist them in illegal crossing of border, laws related with equality of women or which assist them in their ability to access to opportunities of getting a good job or even to migrate for labour should put in place and implemented through proper enforcement.
- With such intentions in mind, all suggestions regarding endeavours, which should be taken, are gathered in a joint recommendation that positively can create further research. The recommendations have been taken from analyzing the existing laws and finding out the gaps and loopholes on those among the voice of those who have been trafficked and sexually exploited along with those who are liable to protect them, which should be further emphasized. The whole research also upholds the integrity of the social avenues as well as the state mechanism in almost every effort to combat women and children trafficking and sexual exploitation.
- The study however gives a unique opportunity to amass the finding of the sending and receiving countries which has to be introduced while designing program and developing techniques for addressing the situation in an integrated approach. This

<sup>5</sup>. Ali S. Survey in the area of child and women trafficking. Dhaka: Bangladesh National Women Lawyers' Association, 1997. 100 p.

<sup>6</sup>. Ali S. Survey in the area of child and women trafficking. Dhaka: Bangladesh National Women Lawyers' Association, 1997. 100 p.

will require cooperation at the program level of the Non-Governmental Organizations working in the field of trafficking and sexual exploitation of women and children along with the Government agencies. Greater alliance between Non-Governmental organizations working both nationally and locally must be fostered.

- Now a day, it is a need of the time to develop an integrated database system to be contributed by both the Non-Governmental, Government and private entrepreneurs where there will have all beforehand information regarding women and children already trafficked and sexually exploited.
- To come out of the legal barriers of addressing the issue of trafficking, there should have bilateral or multilateral agreement between the sending and receiving countries. Due to the complexity of factors encouraging trafficking and sexual exploitation against women and children, no single approach or focus will be effective on its own. A comprehensive and integrated approach may be adopted to ensure an environment conducive to foster a wide range of programs. It is a matter of pleasure for me to present the following some more specific recommendations:
  1. A massive awareness program on the laws related to trafficking in women & children; and sexual exploitation should be adopted.
  2. An appropriate arrangement should be adopted for the protection of victims of trafficking and witnesses.
  3. More programs for the prevention of trafficking by addressing the factors that cause migration should be undertaken. Compulsory education or more job opportunities in rural areas should be ensured to prevent some of the children becoming prey to traffickers;
  4. An active Monitoring Cell should be set up within the police station for Human Rights Organizations so that it can observe the implementation of laws and a woman & child friendly environment at the police stations should be created.
  5. Investigating agency should be made free from influence of local powerful people so that unbiased and factual reports can be ensured and they can be made accountable and responsible for their performance.
  6. The accountability of the police officials should be increased. The Investigating Officer should be made accountable to the District Judges, Chief Judicial Magistrates, Chief Metropolitan Magistrate as the case may be and also to their departmental authority. To ensure such accountability of the Investigation Officers to the Judges, Chief Judicial Magistrates, Chief Metropolitan Magistrate, as the case may be, some part of the Annual Confidential Report of the police officials should be recommended by the Judges.
  7. To improve the skill of the Investigating Officers, there should have regular or special type of training program designed in respect of laws and procedures particularly for the protection of women and children. They should be made well conversant of the relevant laws and their recent amendments of the laws.
  8. The number of Police Officers should be increased along with ensuring required logistic support so that proper action can be taken in the face of any occurrence of human trafficking.
  9. Responsibility of the Public Prosecutors should be increased and they should be closely monitored. The selection and appointment of Public Prosecutors and Assistant Public Prosecutors should be made independent of political interference. The Public Prosecutors should be made accountable for their negligence in duty.
  10. Security of judges, witnesses and victims should be ensured. Since judges are the main and only one legally supported media to combat hand down judgment through their wise decision based on evidence, so keeping them free from fear on their is a crucial precondition for the purpose.
  11. The Labour Laws and other related Laws should be amended to ensure that it applies to all industries, including domestic labour, agricultural work and home work and institute mechanisms to monitor these industries;
  12. Criminal Procedures Code should be amended to ensure that names of trafficked women and children are not published in the media.
  13. The laws related to trafficking should be enforced and implemented without any mercy and discrimination. To address the issue of cross border trafficking there should have bilateral/multilateral agreements between the sending and receiving countries.
  14. There should have a National Task Force in which representatives of Bangladesh Rifles, Ministry of Women and Children Affairs, Ministry of Foreign Affairs, Ministry of Home Affairs and Various NGOs must be included.
  15. A national migration policy should be adopted.
  16. Social responsibility of peoples to promote equality and to circulate codified/edited books on the punishments of offenders of human trafficking should be created;
  17. Cooperation with civil society to combat trafficking in all its forms should be continued.
  18. Cross border legal aid clinics and programs to facilitate the rehabilitation and repatriation of the persons trafficked should be created.
  19. Nationwide uniform awareness campaign to prevent trafficking and sexual exploitation of women and children should be undertaken.
  20. Sharing of data among the NGOs and Government agencies through establishing network and concerted programs against trafficking and sexual exploitation of women and children should be undertaken.
  21. Government in undertaking related action programs against trafficking and sexual exploitation of women and children should be assisted.
  22. Trafficked victims with the help of law enforcement agencies from various confinements should be rescued.
  23. The Government in repatriating trafficked victims from others countries should be assisted.
  24. Rehabilitation program for rescued and repatriated trafficked victims should be initiated.
  25. Safe shelter homes ensuring homely and friendly environment and minimum standard of care should be established.
  26. The legal procedure for ensuring prosecution of traffickers should be monitored.
  27. Job opportunity for vulnerable women should be created.
  28. Livelihood options for women and children at community level should be created.
  29. Government and NGOs in terms of ensuring rehabilitation of rescued trafficked victims through job placement should be assisted.
  30. Transport owners and workers who can play role in preventing trafficking should be sensitized.



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